

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI**

HEATHER BOSLER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	JURY TRIAL DEMANDED
	)	
MEDICREDIT, INC.	)	
	)	
Defendants.	)	

**COMPLAINT**

NOW COMES the Plaintiff, HEATHER BOSLER, by and through undersigned counsel, and for her complaint against the Defendant, MEDICREDIT, INC., Plaintiff states as follows:

**I. PRELIMINARY STATEMENT**

1. This is an action for actual and statutory damages for violations of the Fair Debt Collection Practices Act 15 U.S.C. § 1692 *et seq.* (“FDCPA”).

**II. JURISDICTION & VENUE**

2. Jurisdiction arises under 15 U.S.C. § 1692 and pursuant to 28 U.S.C. § 1331.

3. Venue is proper in this District in that Plaintiff resides here, Defendant transacts business here, and the conduct complained of occurred here.

**III. PARTIES**

4. Heather Bosler (“Plaintiff”) is a natural person who resides in Raymore, MO.

5. Plaintiff is a “consumer” as that term is defined by the FDCPA, 15 U.S.C. § 1692a(3).

6. Mediacredit, Inc., (“Mediacredit”) is a business entity engaged in the collection of consumer debt within the State of Missouri.

7. Mediacredit is a “debt collector” as that term is defined by the FDCPA, 15 U.S.C. § 1692a(6) in that its primary purpose is to collect debt.

#### **IV. ALLEGATIONS**

8. The debt allegedly owed by Plaintiff (“the Debt”) was incurred for personal, family, or household services and are therefore a “debt” as the term is defined by the FDCPA, 15 U.S.C. § 1692a(5).

9. On or about October 9, 2019, Plaintiff retained counsel to assist in the resolution of several debts, including the Debt.

10. On or about October 22, 2019, Mediacredit called Plaintiff in attempt to collect the Debt. During this call, Plaintiff politely informed the Mediacredit rep that she had retained legal counsel, and that any further contact would have to be through her counsel.

11. Sometime between October 23 and October 25, 2019, Mediacredit called Plaintiff’s grandmother. During the course of this call, the Mediacredit rep informed Plaintiff’s grandmother that he was trying to contact Plaintiff.

12. This call by Mediacredit violated 15 U.S.C. § 1692b(6), in that Mediacredit contacted a third party after being notified that the consumer was represented by an attorney.

13. On or about October 25, 2019 Mediacredit again called Plaintiff in attempt to collect the Debt.

14. This October 25<sup>th</sup> call from Mediacredit violated 15 U.S.C. § 1692c(a)(2), in that Mediacredit contacted a consumer after receiving unequivocal notice that the consumer was represented by an attorney.

**V. JURY DEMAND**

15. Plaintiff is entitled to and hereby respectfully demands a trial by jury on all issues so triable.

**VII. PRAYER FOR RELIEF**

WHEREFORE, Plaintiff, Heather Bosler, respectfully prays for judgment as follows:

- a. All actual compensatory damages suffered pursuant to 15 U.S.C. § 1692k(a)(1) from Mediacredit for Plaintiff;
- b. Statutory damages of \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A) from Mediacredit for Plaintiff;
- c. Plaintiff's attorneys' fees and costs pursuant to 15 U.S.C. § 1692k(a)(3) from Mediacredit for Plaintiff;
- d. Any other relief deemed appropriate by this Honorable Court.

Date: March 3, 2020

Respectfully submitted,

**CREDIT LAW CENTER**

**By: /s/ Anthony Hernandez**

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**Attorney for Plaintiff**

